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The situation in the Middle East

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Report of the Secretary-General*

I. Introduction

1. The present report is submitted in pursuance of General Assembly resolutions 55/50 and 55/51 of 1 December 2000. The General Assembly, in its resolution 55/50, which deals with the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) of 20 August 1980, called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In Assembly resolution 55/51, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions.

2. The Secretary-General, in order to fulfil his reporting responsibility under the above-mentioned resolutions, on 27 July 2001 addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As of 11 October 2001 replies have been received from Belarus, Denmark, Israel, Japan and Portugal. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Belarus

[Original: English]

1. Belarus, as a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, firmly supported resolutions 55/50 on Jerusalem

* The present report is being submitted on 17 October 2001 so as to include as much updated information as possible.

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and 55/51 on the Syrian Golan, adopted by the General Assembly on 1 December 2000 at its fifty-fifth session under the agenda item "The situation in the Middle East".

2. Belarus has been consistently adherent to the compliance by all Member States with the provisions of the relevant resolutions of the General Assembly of the United Nations relative to the character and status of the Holy City of Jerusalem.

3. Belarus condemns the continued occupation of the Syrian Golan in contravention of the relevant General Assembly and Security Council resolutions.

4. Belarus is firmly committed to a peaceful settlement of the Arab-Israeli conflict and calls on the parties to resume the peace process with a view to achieving a just, comprehensive and lasting peace in the region.

Denmark

[Original: English]

The Permanent Mission of Denmark has the honour to inform the Secretary-General that the above resolutions have not given occasion for any reporting on the part of the Danish Government.

Israel

[Original: English]

1. As the Secretary-General is aware, Israel voted against these resolutions, as well as against similar resolutions adopted by the General Assembly in previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to return to the agreed negotiating process, Israel wishes to place on record, once again, its position on this matter.

2. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in these resolutions undermines fundamental agreements reached between the parties, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

Japan

[Original: English]

Steps taken by the Government of Japan concerning the implementation of the relevant provisions of resolutions 55/50 and 55/51, adopted by the General Assembly on 1 December 2000, are as follows:

A. With respect to resolution 55/50

1. Japan has stated its view on the Basic Law of Israel proclaiming Jerusalem as the united capital of Israel in the statement of the Ministry of Foreign Affairs on 1 August 1980 as follows:

> "(a) The Knesset has recently passed the Basic Law proclaiming Jerusalem as the united capital of Israel. It gives an ex post facto legal approval to the annexation of East Jerusalem, which was occupied by Israel in 1967. Japan cannot recognize such a unilateral change to the legal status of an occupied territory, which is in total violation of the relevant United Nations resolutions;
>
> "(b) The Government of Japan is deeply concerned that such an action would not only deteriorate the atmosphere for the settlement of the Middle East peace problem, but also jeopardize the results of the efforts which have been made for the achievement of peace in this region."

This position has not changed since.

2. Japan believes that issues relating to Jerusalem should be resolved through the permanent status negotiations between the parties concerned, and until such a solution is achieved both parties should refrain from taking any unilateral action relating to the situation in Jerusalem.

3. Japan established a legation at Tel Aviv in 1955 which was made an embassy in 1963, but has never established an embassy in Jerusalem.

B. With respect to resolution 55/51

1. With regard to the passing in 1981 of legislation concerning the annexation of the Golan Heights, Japan issued a statement by the Minister for Foreign Affairs on 15 December 1981 as follows:

> "(a) The Knesset passed legislation which in effect annexes the Golan Heights on 14 December 1981. Japan cannot condone such a unilateral change to the legal status of an occupied territory by Israel, following the annexation of East Jerusalem in July 1980, which is in total violation of international law and United Nations Security Council resolutions 242 and 338;
>
> "(b) The Government of Japan is deeply concerned that such an action would not only impair the atmosphere that exists for the settlement of the Arab-Israeli conflict through peaceful means, but would also heighten tension in the region;
>
> "(c) On this occasion, the Government of Japan reiterates its strong demand that Israel withdraw from all the territories occupied in 1967 as early as possible."

This position has not changed since.

2. Since February 1996, Japan has dispatched 45 personnel to the United Nations Disengagement Observer Force operating in the Golan Heights.

Portugal

[Original: English]

1. Concerning the implementation of resolution 55/50, the position of Portugal regarding the status of the city of Jerusalem has not changed. Portugal does not have a diplomatic mission in that city.

2. Concerning the implementation of resolution 55/51 on the situation on the Golan Heights, Portugal's position remains unaltered.

3. Regarding the implementation of these resolutions, Portugal concurs with the positions of its European Union partners.